

AMENDMENT NO. _____

Signature of Sponsor

AMEND Senate Bill No. 2449*

House Bill No. 3278

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

By deleting all of the language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 65-11-113(a), is amended in the first sentence by deleting the language "Within six months" and by substituting instead the language "Except as provided in subdivision (2), within nine (9) months".

SECTION 2. Tennessee Code Annotated, Section 65-11-113(a), is further amended by deleting subdivision (2) in its entirety and by substituting instead the following:

(2) A railroad company shall have nine (9) months from the occurrence of a fatality resulting from a collision between any railroad engine or train and a vehicle at any unmarked railroad crossing as provided in subdivision (1) to install or cause to be installed the automatic warning or protective devices required. The commissioner may grant an extension of not more than three (3) months based upon hardship or an act of God. If such devices are not installed and operative at the end of this period of time, including any extension granted by the commissioner, the provisions of subsection (e) shall apply.

SECTION 3. Tennessee Code Annotated, Section 65-11-113(e), is amended by deleting the language "not less than five hundred dollars (\$500) nor more than".

SECTION 4. Tennessee Code Annotated, Section 65-11-113(e), is further amended by adding the following language to the end thereto:

One half (1/2) of any fine received pursuant to this section shall be allocated to the department of transportation and one-half (1/2) of such fine shall be allocated to the

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House Transportation Cmte.

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municipality, county or metropolitan government in which the grade crossing is located and which bore a share of the cost of the installation of the signal device.

SECTION 5. This act shall take effect July 1, 1998, the public welfare requiring it.

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